

REMARKS

Claims 116 and 118 are pending in this application.

Claims 1-115 and 117 have been canceled without prejudice.

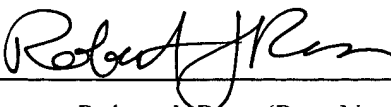
Claims 116 and 118 stand rejected under the first paragraph of 35 U.S.C. §112 as allegedly failing to comply with the enablement requirement. Claims 116 and 118 have been amended to specify that the methods are directed to the diagnosis of melanoma (claim 116) and determining regression, course or onset of melanoma. The Office Action clearly indicates that the application is enabling for diagnosis of melanoma by detecting expression of SEQ ID NO: 1 in a skin sample from a patient as set forth in present claim 116. Accordingly, claim 116 clearly is in form for allowance.

Regarding claim 118, the Office Action indicates that the application is not enabling for determining the regression, course, or onset of melanoma or any other cancer. Applicants disagree. The level of skill in the medical and oncological arts is very high. One of ordinary skill in the art would logically conclude from the teaching of the present application and from the common meaning of the word itself that "diagnosis" encompasses *inter alia* assessment of regression, course, and onset of the disease. If the presence of the marker in a skin tissue sample is considered diagnostic for melanoma, then the absence of the marker after treatment indicates a regression, and the presence of the marker after a previous negative tissue test would indicate onset of melanoma. Onset, regression, and the existence of the disease state *per se* all relate to the "course" of the disease. Thus, claim 118 is also enabled.

Applicants request withdrawal of the rejections, allowance of all claims, and early passage of the application to issue.

Respectfully submitted,

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By 

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